

AMY KLOBUCHAR
MINNESOTA

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
COMMERCE, SCIENCE,
AND TRANSPORTATION
ENVIRONMENT AND PUBLIC WORKS
JOINT ECONOMIC COMMITTEE

United States Senate
WASHINGTON, DC 20510

May 31, 2007

The Honorable Patrick J. Leahy
United States Senate
Committee on the Judiciary
Dirksen Senate Office Building 224
Washington, DC 20510

Dear Chairman Leahy,

I am writing to express my concerns about additional news reports that the former U.S. Attorney for the District of Minnesota, Tom Heffelfinger, may have been targeted for removal by Attorney General Alberto R. Gonzales because of his efforts to protect the voting rights of Minnesota's Native American residents. I understand the Judiciary Committee is scheduled to hear testimony from Bradley Schlozman, a former Bush political appointee in the Justice Department, on Tuesday, June 5. I urge the Committee to question him closely about his reported role in these events and to further investigate these serious allegations. Of particularly serious concern is the suggestion that there may have been politically inspired interference in the professional legal judgments of the Minnesota U.S. attorneys.

As you may know, in the fall of 2004, when Tom Heffelfinger was U.S. Attorney, his office contacted the Department of Justice to express concern that a ruling by Minnesota's Secretary of State could result in discrimination against Native American voters in the 2004 election. That ruling would have prevented Native Americans living in areas outside of reservations from using their tribal ID cards for voter identification. After reviewing the civil rights implications of the Secretary of State's decision, a career prosecutor in the Department's Voting Rights Section recommended opening an investigation into the matter. As reported in the May 31 Los Angeles Times, that investigation never got off the ground: two political appointees in the Department -- including Bradley Schlozman -- effectively quashed the Department's inquiry. Instead, the Native American community had to take this matter to court on its own and a federal judge overturned the Secretary of State's ruling -- in effect, affirming the legal judgments of U.S. Attorney Heffelfinger and his professional staff.

At your Committee hearing into the Department of Justice's hiring and firing of U.S. Attorneys, I urge you to investigate the facts surrounding the Department's efforts to

identify and potentially remove Tom Heffelfinger from office. In particular, I ask that you question Mr. Schlozman about (i) his efforts to effectively quash the investigation into possible voter discrimination against Native Americans; and (ii) what role, if any, Tom Heffelfinger's efforts to protect the voting rights of Minnesota's Native American communities placed him on the Department's now infamous list for termination.

I worked closely with Tom Heffelfinger during my tenure as the County Attorney for Hennepin County. Indeed we worked closely on matters concerning Minnesota's Native American communities – the same issues that may have put Tom Heffelfinger on a list for termination by the Department of Justice's political appointees. I and everyone who has worked with Tom on these and other issues found him to be exceedingly talented and impartial. That is why I remain extremely concerned that someone as respected as Tom Heffelfinger may have been targeted for removal by the Department of Justice.

I look forward to learning the results of your investigation.

Sincerely yours,

A handwritten signature in blue ink that reads "Amy Klobuchar". The signature is fluid and cursive, with the first name "Amy" and last name "Klobuchar" clearly distinguishable.

Amy Klobuchar
United States Senator

cc: The Honorable Arlen Specter, Ranking Member